

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Tracy Lamont Collins

Docket No. 5:10-CR-11-1D

Petition for Action on Supervised Release

COMES NOW Kyle W. Fricke, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Tracy Lamont Collins, who, upon an earlier plea of guilty to Distribution of 5 Grams or More of Cocaine Base (Crack), in violation of 21 U.S.C. § 841(a)(1), was sentenced by the Honorable James C. Dever III, U.S. District Judge, on December 10, 2010, to the custody of the Bureau of Prisons for a term of 102 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

Collins was released from custody on June 3, 2016, at which time the term of supervised release commenced. On October 15, 2018, a Violation Report was submitted advising that on October 6, 2018, in Nash County, North Carolina, the defendant was charged with Driving While License Revoked and Fictitious Registration (18CR707554). The court agreed to continue supervision. On September 10, 2019, a Petition for Action was submitted advising that the defendant was charged in Nash County, North Carolina, with Driving While Impaired (19CR52749), Fleeing to Elude Arrest, Speeding, Driving While License Revoked (19CR52750), Reckless Driving to Endanger, and Failure to Wear a Seatbelt (19CR52751). Based upon the breach of trust presented by this criminal conduct, the defendant was ordered to complete 60 days curfew with location monitoring.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On October 30, 2020, the defendant was charged in Nash County, North Carolina, with Driving While Impaired and Driving While License Revoked (20CR053382). According to Deputy Mooring with the Nash County Sheriff's Department, he observed Collins run into the back of a parked vehicle in the parking lot of a convenience store. No injuries were sustained. The defendant admitted drinking while driving, and he blew a .19 on the breathalyzer. Although these charges remain pending, the defendant admits guilt. As a sanction for this criminal conduct, the probation office is recommending that he be placed on 180 days home detention with electronic monitoring and enroll and complete alcohol/drug education training. The defendant signed a Waiver of Hearing agreeing to the proposed modifications of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 180 consecutive days. The defendant shall be restricted to his residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.
2. The defendant shall enroll in and complete the Alcohol/Drug Education Training school and pay the cost thereof. It is further ordered that the defendant shall participate in any other Alcohol/Drug Rehabilitation and Education program as directed by the U.S. Probation Office.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dewayne L. Smith
Dewayne L. Smith
Supervising U.S. Probation Officer

/s/ Kyle W. Fricke
Kyle W. Fricke
U.S. Probation Officer
150 Reade Circle
Greenville, NC 27858-1137
Phone: 252-830-2336
Executed On: November 6, 2020

ORDER OF THE COURT

Considered and ordered this 9 day of November, 2020, and ordered filed and
made a part of the records in the above case.

James C. Dever III
James C. Dever III
U.S. District Judge